

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
PECOS DIVISION

MARIBEL GLASS,  
*Plaintiff,*

vs.

SUL ROSS STATE UNIVERSITY, PETE  
GALLEGO, BOARD OF REGENTS -  
TEXAS STATE UNIVERSITY SYSTEM,  
KARLIN DEVOLL, BRANDY SNYDER,  
KARA O'SHAUGHNESSY,  
*Defendants.*

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CIVIL ACTION NO. 4:22-cv-14

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DEFENDANTS' NOTICE OF REMOVAL

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NOW COME Defendants Sul Ross State University, Pete Gallego, the Board of Regents - Texas State University System, Karlin Devoll, Brandy Snyder, and Kara O'Shaughnessy (collectively, "Defendants"), by and through their undersigned counsel, and respectfully show the Court:

1. **Grounds for Removal:** This removal is pursuant to 28 U.S.C. § 1441(a) based on federal question jurisdiction. Plaintiff Maribel Glass (Plaintiff) asserts a federal claim under Title IX of the Education Amendments of 1972 (Title IX), codified as 20 U.S.C. §§ 1681 - 1688. Plaintiff's Original Petition, p. 4. Because claims arising under the laws of the United States are asserted, this Court has federal question jurisdiction and removal is proper. *See* 28 U.S.C. § 1331; *Id.* § 1441(a), (c). To the extent Plaintiff asserts additional claims that are so related to her claims under Title IX that they form part of the same controversy under Article III of the United States Constitution, this Court has jurisdiction over those claims pursuant to 28 U.S.C. § 1367(a).

2. **State Proceeding:** This action was initially filed in the 394th Judicial District Court of Brewster County, Texas, on January 20, 2022, in Cause No. CVB22010. Plaintiff is Maribel Glass.

Defendants are Sul Ross State University (the “University”), the Board of Regents – Texas State University System (the “Board of Regents”), Pete Gallego, Karlin Devoll, Brandy Snyder, and Kara O’Shaughnessy.

3. **Service Dates for Defendants:** Pete Gallego, Karlin Devoll, Brandy Snyder, and the University were served with the Original Petition on March 18, 2022. Kara O’Shaughnessy was served on March 28, 2022. The Board of Regents was served on April 7, 2022.

4. **Rule of Unanimity Satisfied:** As every defendant who has been properly joined and served has joined in this removal, the rule of unanimity is satisfied. See 28 U.S.C. § 1446(b)(2)(A).

5. **Timeliness:** Defendants file this notice of removal within 30 days of service as required by 28 U.S.C. § 1446(b).

6. **Venue:** As the removed state court action was filed in Brewster County, venue is proper in the United States District Court for the Western District of Texas, Pecos Division.

7. **State Court Pleadings:** As required by 28 U.S.C. § 1446(a), Defendants are filing concurrently with this notice a true and correct copy of all process, pleadings and orders served upon Defendants in the state court action.

8. **Notice to State Court:** As required by 28 U.S.C. § 1446(d), Defendants will promptly file a copy of this notice of removal with the clerk of the state court where the suit has been pending.

9. **Curing Defects:** In the event this Court subsequently identifies a defect in this Notice of Removal, Defendants respectfully request this Court to grant leave to amend this Notice to cure the defect. *See, e.g., Acosta v. Drury Inns, Inc.*, 400 F. Supp. 2d 916, 922 (W.D. Tex. 2005) (“Defects in the form or content of the removal papers are usually not jurisdictional and may be cured by amendment after removal . . . .”); *UICI v. Gray*, No. Civ. A. 3:01CV0921L, 2002 WL 356753, at \*2 (N.D. Tex. Mar. 1, 2002); *Lafayette City-Parish Consol. Gov’t v. Chain Elec. Co.*, No. 11-1247, 2011 WL 4499589, at \*7 (W.D. La. Sept. 23, 2011).

10. **Required Signature:** This Notice of Removal is signed pursuant to Federal Rule of Civil Procedure 11, as required under 28 U.S.C. § 1446(a).

**CONCLUSION**

ACCORDINGLY, because Defendants have properly complied with the removal statutes set forth above, this case stands removed from the 394th Judicial District Court of Brewster County, Texas, to the United States District Court for the Western District of Texas, Pecos Division.

Respectfully submitted.


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BRENT WEBSTER  
First Assistant Attorney General

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**COUNSEL FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on April 18, 2022, a true and correct copy of the foregoing instrument was served via the Court's ECF system to:

Brock Benjamin  
Leonel Nunez, Jr.  
Benjamin Law Firm  
609 Myrtle Ave., Suite B  
El Paso, Texas 79901  
[brock@brockmorganbenjamin.com](mailto:brock@brockmorganbenjamin.com)  
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*Counsel for Plaintiff*

A handwritten signature in blue ink, appearing to read "John Ramsey", is written over a horizontal line.

JOHN RAMSEY  
Assistant Attorney General